## DETAILED ACTION

### *Information Disclosure Statement*

1.    The information disclosure statement (IDS) submitted on 12/09/2003 has been considered by the examiner.

### *Claim Rejections - 35 USC § 101*

2.    35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3.    Claims 33-39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.  The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter) because claims 33-39 are directed to a "A program product comprising computer readable program code," which is deemed software *per se*, and therefore considered disembodied functional descriptive material.  A computer software application *per se* does not define any structural and functional interrelationships between the computer application and other claimed elements of a computer which permit the computer application's functionality to be realized.

## *Claim Rejections - 35 USC § 102*

4.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in:
>
> > (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or
> >
> > (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.      Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by

Vogt et al. (PG Pub 2003/0028595), hereinafter referred to as Vogt.

6.      Regarding Claims 1, 26, and 33:

        Vogt discloses a method and system of conducting an on-line meeting

comprising:

        establishing a database of participants and participant access rights to meeting

assets (Vogt [0006], "community having a plurality of members comprising a client

server system" and [0014], "The invention provides a virtual space, tools, activities, and

business processes that enable users to meet, dialogue, share documents and links");

identifying participants to individual on-line meeting sites whereby multiple

participants at an individual on-line meeting site each have participation access to the

on-line meeting (Vogt [0014], "the invention provides a virtual space, tools, activities,

and business processes that enable users to meet, dialogue, share documents and

links");

invoking the meeting; (Vogt [0019], "Its convener is guided through a series of

prompts, to invite users from anywhere in the enterprise to join the project team");

collecting participant inputs from participants (Vogt [0006], "client server system

comprises data input means for receiving member contributions");

publishing collected participant inputs back to the participants (Vogt [0006],

"output means for displaying member contributions to the community" and Vogt [0019],

"At any time during a project or when it is complete, the team leader and members may

elect to publish any of its content to the "parent" communities and/or the enterprise").


7.      Regarding Claims 2, 27, and 34:

The method and system of Vogt further comprises invoking the meeting from an

agenda ([0039], "a conversation may be scheduled in advanced" and [0053],

"The community site also includes a calendar displaying planned activities for the

community. The current week's events also appear on the home page as

announcements. Any participant may schedule an event for the community, such

as a brainstorm, or a dialogue. Non-community events may be posted as well.

The event may be added to the calendar from the calendar page or from the event page. For example, a brainstorm session may be scheduled from the calendar page or from the brainstorm page. When a community member schedules an event from the calendar page, he or she is prompted to choose an event type, schedule the start and end date and times, and determine whether to notify some or all of the group members by e-mail that an event is scheduled.").

8.      Regarding Claims 3 and 4:

The method of Vogt further comprises invoking the meeting from a meeting invitation and ad hoc, respectively ([0024], "When convening an activity, the convener should specify whether the activity is open to all users or by invitation only" and [0035],

"participants are the users that engage in the activities of the community, usually in response to a request from a convener or a facilitator. Any participant becomes a 'convener' when he/she initiates a new activity. These new activities, in turn, initiate a "call to action" for participants to meet, discuss, vote, etc" and [0039], "the community site is a virtual space in which users may conduct ad hoc, unscheduled conversations. Alternatively, a conversation may be scheduled in advanced, or specific users may be invited to join").

9.      Regarding Claims 5 and 6:

The method of Vogt further comprises invoking participation tools and participant

input tools ([0014], "the invention provides a virtual space, tools, activities, and business

processes that enable users to meet" and [0017], "enterprise-wide tools, activities, and

projects are likely a subset of those for any given community" and [0048], "resources

include tools to help the participants contribute to the community").


10.     Regarding Claims 7, 28, and 35:

        The method and system of Vogt further comprises invoking a participant voting

tool adapted to accept participant votes from an on-line meeting site, where the number

of participant votes from an individual on-line meeting site is the number of participants

identified to the said individual on-line meeting site ([0017] "participants might use the

enterprise environment to share documents between communities and to do enterprise-

wide polls and surveys" and [0035], "these new activities, in turn, initiate a "call to

action" for participants to meet, discuss, vote, etc" and [0052], "any participant in the

community may use a polling or voting tool to ask others' opinions").


11.     Regarding Claims 8, 9, 10, 11, and 12:

        The method and system of Vogt further comprises recording votes anonymously

and recording votes identified to participants ([0052], "the tool supports both aggregated

anonymous responses and the ability to associate individual responses to each

responding member");

publishing votes to participants and also publishing votes in the minutes of the

on-line meeting; and further publishing the minutes to on-line meeting participants (Vogt

[0019],

> "At any time during a project or when it is complete, the team leader and
>
> members may elect to publish any of its content to the 'parent' communities
>
> and/or the enterprise. When the project is complete (as indicated by the project
>
> team leader), the team is disbanded and its content is archived. Thereafter, team
>
> members could access the team's activities and content"

and [0024], "the convener may also publish content in another community or team

environment [with either read only or read/write privileges] or archive content" and

[0030], "all content that is posted by users is archived").


12.    Regarding Claims 13, 29, and 36:

The method and system of Vogt further comprises accepting participant

comments from participants ([Claim 7], "the member contributions comprise

conversation elements, and wherein the output means are adapted and configured to

output the conversation elements in real time" and ([Claim 8], "the client server system

is adapted and constructed to receive conversation elements from a plurality of

members who are all accessing the system at the same time").

13. Regarding Claims 14, 15, 30, 31, 37, and 38:

The method and system of Vogt further teaches the participant comments to be questions and brainstorming contributions ([0019], "these activities may be in a simple, linear sequence (e.g., first a brainstorm, then a dialogue, then a vote" and [0043], "the system can also be used to support brainstorm sessions").

14. Regarding Claims 16, 17, 18, 19, and 20:

The method of Vogt further comprises:

recording participant comments anonymously and recording participant comments identified to participants ([0052], "the tool supports both aggregated anonymous responses and the ability to associate individual responses to each responding member" and (Vogt [0034], "discourse records the number of each type of contribution [e.g., question, answer, agreement, disagreement, request, commitment, decision, action item, etc.]");

publishing participant comments to on-line meeting participants and in the minutes of the on-line meeting. Also, publishing the minutes to on-line meeting participants (Vogt [0019],

"At any time during a project or when it is complete, the team leader and members may elect to publish any of its content to the "parent" communities and/or the enterprise. When the project is complete (as indicated by the project

team leader), the team is disbanded and its content is archived. Thereafter, team

members could access the team's activities and content"

and [0024], "the convener may also publish content in another community or team

environment (with either read only or read/write privileges) or archive content" and

[0030], "all content that is posted by users is archived").


15.    Regarding Claims 21, 32, and 39:

The method and system of Vogt further comprises opening an object identified to

the on-line meeting participants, and granting access to the on-line meeting participants

to modify the object ([0024], "users should be notified by email of the new activity,

access rights for content in the activity" and [0055],

"users post content to the discussion using a whiteboard tool. Communities of

sales people may co-create proposals and presentations. The proposal process

will step the community through assigning different sections of the work to users,

co-creating and critiquing one another's work, and storing 'boilerplate' versions of

the product in a database, folder, or reference center");

Receiving and recording participant inputs to the object from participants (Vogt

[0034], "discourse records the number of each type of contribution [e.g., question,

answer, agreement, disagreement, request, commitment, decision, action item, etc.]").

16.     Regarding Claims 22, 23, 24, and 25:

The method of Vogt further comprises:

accepting and recording participant inputs to the object from participants ([0034],

"discourse records the number of each type of contribution [e.g., question, answer,

agreement, disagreement, request, commitment, decision, action item, etc.]");

publishing participant inputs to the object to on-line meeting participants and also

to the object in minutes of the on-line meeting. Additionally, publishing the minutes to

on-line meeting participants (Vogt [0019],

"At any time during a project or when it is complete, the team leader and

members may elect to publish any of its content to the "parent" communities

and/or the enterprise. When the project is complete (as indicated by the project

team leader), the team is disbanded and its content is archived. Thereafter, team

members could access the team's activities and content"

and [0024], "the convener may also publish content in another community or team

environment (with either read only or read/write privileges) or archive content" and

[0030], "all content that is posted by users is archived").

## *Conclusion*

17.    Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fathi Abdelsalam whose telephone number is (571) 270-3517.  The examiner can normally be reached on Monday to Thursday 8:00-5:00pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787.  The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.  Status information for published applications may be obtained from either Private PAIR or Public PAIR.  Status information for unpublished applications is available through Private PAIR only.  For more information about the PAIR system, see http://pair-direct.uspto.gov.  Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).  If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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